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ABSTRACT

This study focused on the role played in school desegregation by the Emergency School Aid Act (ESAA), Title IV of the Civil Rights Act, and Office of Civil Rights (OCR) enforcement of Title IV. The study examined the ways in which five urban school districts made use of assistance programs and have been affected by Title IV. School district enrollments ranged from 23,000 to 53,000 and were chosen on the basis of level of involvement with ESAA, Title IV, or OCR. The study was interview based. Findings supported continuation of Title IV Desegregation Assistance Centers, multiyear funding for ESAA programs, and a shift of ESAA monies to activities directly related to desegregation processes. It was found that ESAA advisory committees were rarely given training regarding ESAA or desegregation and members were not significantly involved in developing proposals. Recommendations for committee improvement were outlined. It was felt that a "layman's version" of ESAA regulations would help to alleviate existing confusions. Two year funding continuations for Title IV Training Institutes were recommended. Systematic, continuous Title IV training programs were found to be most effective and were encouraged. A need was seen for dissemination of information regarding desegregation plans. OCR forms were found to be difficult to complete: clarification and reduction was recommended. It was suggested that OCR publish a layman's guide to enforcement or complaint reviews. (MK)

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DESEGREGATION CASE STUDIES

Volume I: Final Report

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Research Report — EPRC 24

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I INTRODUCTION

The United States Congress has enacted two major laws related to school desegregation that are currently in force:

- The Civil Rights Act of 1964: The central provision of this act is Title VI, which prohibits racial discrimination by recipients of federal aid. The Department of Health, Education and Welfare (HEW) has assigned responsibility for the enforcement of that prohibition to the Office for Civil Rights (OCR). OCR's role includes both monitoring and enforcing Title VI among federal aid recipients, including public elementary and secondary schools. Within recent years, OCR's purview has expanded to cover discrimination against women, limited-English-speaking students, the handicapped and the aged, as well as racial discrimination. Title IV of the Civil Rights Act established a program of technical assistance and training for districts drawing up or implementing a required desegregation plan.

- The Emergency School Aid Act (ESAA) of 1972: Through this act, the Congress provided for financial assistance to school districts: (1) to meet special needs arising from school desegregation; (2) to encourage the voluntary reduction of minority group isolation in schools with substantial proportions of minority group students; and (3) to aid school children in overcoming the educational disadvantages of minority group isolation. ESAA funds may be used for a variety of purposes, including compensatory education, human relations, staff training and community relations. They may not be used for busing. Until now, most ESAA funds have been used to support compensatory education efforts in desegregating schools.

The focus of this study was the role played in school desegregation by ESAA, by Title IV, and by OCR enforcement of the Title VI prohibitions. The objectives of the study were to examine the ways in which selected school districts have made use of the two assistance programs and have been affected by Title VI and, on the basis of the examinations, to suggest means of improving future operations of these federal activities.

Five urban school districts, with enrollments ranging from 23,000 to 63,000, were selected for study. Districts were chosen largely on the basis of a high level of involvement with ESAA, Title IV, or OCR.

Site visits to the five districts were conducted by a team of social scientists who interviewed a variety of district, school, community and

federal program personnel. Interviews focused on the community's desegregation activities, on the activities of ESAA, Title IV, and OCR in the school district, and on respondents' perceptions of those three federal programs. Limited archival data, such as ESAA and Title IV proposals, were also collected. In essence, then, the study was interview-based; the perceptions of our respondents, together with our analysis of those perceptions, formed the basis of each case study report, as well as of the following narrative and the policy recommendations that comprise the conclusion.

This report reviews the study procedures, integrates data from the five case study reports, and presents policy recommendations regarding ESAA, Title IV, and OCR. Section II describes the method of approach and the site selection criteria and provides a brief overview of why each site was selected. The setting for desegregation in each of the case study sites and the process of desegregation each site has experienced are the topics of Section III. Sections IV, V, and VI deal with the involvement of ESAA, Title IV, and OCR, respectively, in each of the sites. Finally, Section VII presents policy recommendations. The individual case studies are reported as appendixes.

II METHOD OF APPROACH

Design of the Study

In the course of the study, five school districts across the country were visited by a team of three professionals. At each site, between 40 and 50 individuals were interviewed privately over a period of five days. Visits were conducted from July 1977 through January 1978. (San Francisco was an exception; here, respondents were interviewed over a period of several months.) Respondents were selected on the basis of their knowledge of one or more of the three programs of interest and/or of the community's desegregation experience. Respondents included board of education members, district and building-level administrators, teachers, ESAA and Title IV program directors and staff, ESAA advisory committee members (including parents and students), community representatives active in the desegregation process, media representatives, regional OCR staff, and regional ESAA and Title IV program officers.

A semistructured interview guide was used to question respondents on topics appropriate to their particular roles. Generally, the questions fell into four categories:

- The community's desegregation history
- Descriptions and assessments of ESAA, Title IV and OCR activities
- Unmet needs in the desegregation process
- Suggestions for improving ESAA, Title IV and OCR at the federal level.

In addition to the interviews, limited archival data were collected relating to the three programs (e.g., racial enrollment data, proposals for ESAA and Title IV, desegregation plans, correspondence with OCR).

Following each site visit, a case study report was prepared (see Appendixes A-E). Each report focused on the operation of the three federal programs within that community. To establish a context within which the program activities might be understood, the community's history and its desegregation process were also described.

Site Selection

The major criteria for site selection were as follows:

- Total district enrollment between about 20,000 and 100,000 (districts large enough to have the potential of being widely generalized, yet small enough to be covered adequately in a week-long site visit).
- Minority enrollment between approximately 20% and 65% of the total enrollment (districts with a sufficiently large minority population to produce serious desegregation concerns, yet with enough Anglo/nonminority students to make significant desegregation possible).
- ESAA funding of at least $500,000 in at least one year.
- Some history of involvement with Title IV programs and with OCR.
- Desegregation activities within the past five years.

In addition, each site selected had some unique aspect that suggested it would provide an interesting study. Finally, sites were selected to provide a reasonable geographic spread, although the eastern seaboard was not included because of a similar study concurrently in progress in that region.

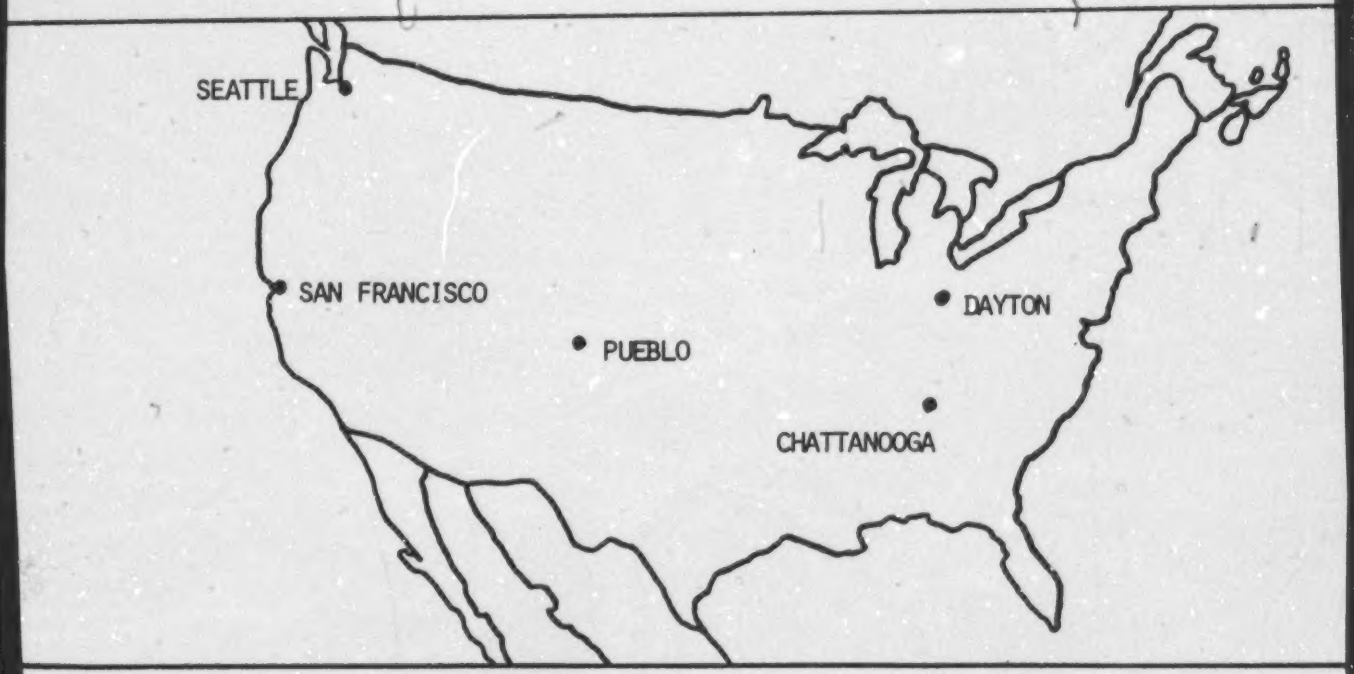
Our selections were Dayton, Ohio; San Francisco, California; Chattanooga, Tennessee; Seattle, Washington; and Pueblo, Colorado. Figure 1 shows their locations.

Dayton was selected because, in addition to meeting our criteria, it had recently implemented a massive desegregation plan that was reportedly a model in comprehensive planning and peacefulness. Dayton was also receiving a very sizable ESAA grant ($3.5 million) and substantial assistance from a Title IV Training Institute and a Title IV General Assistance Center. For the school year 1976-77, the district had an enrollment of about 41,000 students, 53% of whom were blacks.

San Francisco was selected largely for its history of large ESAA grants (ranging from $1.8 million to $5 million), for its focus of ESAA and on human relations rather than on compensatory education, and for its multiethnic enrollment. In 1977-78, public school enrollment totaled almost 63,000. 28.8% of these were black; 21.9% were white; 18.4%

Figure 1

SITES SELECTED



Chinese; 14.2% Spanish surnamed; 8.8% Philipino; 1.5% Japanese; 1.0% Korean; 0.5% Native American; and 4.9% other.

A major reason for interest in Chattanooga was that it was using its ESAA funds ($859,000 for 1977-78) primarily for training regular teachers in compensatory education, rather than the more common approach of using them to provide salaries for compensatory education teachers. We were also interested in examining the effect on desegregation of the city's recent annexations of predominantly white portions of the surrounding county. In addition, the school district had substantial recent involvement with OCR. In 1977-78, Chattanooga had a public school enrollment of 27,373, 45% of whom were black.

Seattle's attraction as a site derived largely from the fact that the district was desegregating voluntarily. Additionally, in 1977-78 it was receiving substantial ESAA funding (about $2.5 million), while two years previously it had been denied ESAA funds because OCR had ruled that the district was not in compliance with ESAA eligibility requirements. Moreover, the district had a long history of involvement with Title IV programs. Enrollment in 1977-78 totaled about 59,000, with 65.7% white, 18.3% black, 9.5% Asian/Pacific Islander, 3.6% Hispanic, and 2.8% American Indian/Alaskan native.

Pueblo was of interest to us for two main reasons: first, its predominant minority was Chicano, and second, it had recently implemented civil rights reforms as a result of an OCR-initiated compliance review. Another interesting feature was that its "desegregation" activities were mostly bilingual activities, affirmative action, and human relations, rather than the reassignment of students. Pueblo also received Title IV assistance. In 1977-78, total enrollment was about 23,000, 41% of whom were Chicano; 3% were black; less than 1% were Asian (mostly Vietnamese); less than 1% were American Indian; approximately 55% were white.

III THE SETTING AND PROCESS OF DESEGREGATION

The sites selected represent a variety of regions. Dayton is located in the North Central part of the country, in southwestern Ohio. San Francisco is located on the West Coast in northern California. Chattanooga is in the Appalachian South in Tennessee near the Georgia border. Seattle, in the Pacific Northwest, is located near the border between the State of Washington and Canada. Pueblo is located in the Southwest in south central Colorado, about 25 miles east of the front range of the Rocky Mountains.

San Francisco, with a population of 664,500, and Seattle, with a population of 504,000, were the two largest sites. San Francisco's minority population is relatively large, with about 14% black, 15% Asian, and 7% Chicano, while Seattle's minority population is relatively small, with approximately 9% black and 5% Asian. The two smallest sites visited were Pueblo, with a population of about 106,000, and Chattanooga, with about 170,000. Chattanooga's population is about 35% black, while Pueblo's is 32% Chicano. Dayton is medium sized, with a population of some 283,000, about 32% black.

Dayton's economy is mixed; its distribution of employment by major industrial classifications closely parallels that for the United States as a whole. In San Francisco, service occupations are the largest employment group, reflecting the importance of tourism to the city's economy; government and finance are the next largest occupational categories, and San Francisco is second only to New York as a financial center. Chattanooga is the headquarters for the Tennessee Valley Authority, and its economy is based on the many small manufacturing plans drawn to the area by the TVA's abundant electric power. Seattle is the nation's fourth largest seaport handling containerized cargo, and Boeing, the world's largest manufacturer of jet aircraft, is a dominant factor in the city's employment distribution. The largest industry in Pueblo is a steel mill, but the largest employer is government, since several large state and federal facilities are located in the city.

In the remainder of this section, the desegregation histories, which are quite diverse, are summarized separately for each city.

Dayton

The process of school desegregation began in Dayton in March 1969. At that time, the Dayton school district was informed by OCR that it was out of compliance with Title VI guidelines regarding faculty assignments. Accordingly, school staffs were desegregated during 1970 and 1971, under the leadership of a liberal school superintendent and a liberal school board. A decision was also made to initiate student desegregation.

In January 1972, however, a newly elected, conservative-majority school board took office and immediately fired the liberal school superintendent and rescinded the desegregation decision. The NAACP responded by filing suit in April 1972. In February 1973, the federal district court ordered the Dayton Board of Education to submit a plan to eliminate segregation in the school district. Several plans based on voluntary measures were submitted, but none of them were approved by the federal appeals court, which finally appointed a Master to develop a satisfactory plan for the district.

In August 1975, the Master was assassinated as he sat in his office working on the desegregation plan. The assassination shocked Dayton, and steps were immediately taken to prevent further violence in the course of desegregation efforts. The court appointed a second Master to continue development of the final desegregation plan, which was accepted by the court. The school board authorized the district superintendent to proceed with implementation of the plan, but also appealed the case to the Supreme Court.

On September 1, 1976, the desegregation plan was implemented without incident. The smooth implementation was the result of extensive community involvement in drafting elaborate contingency plans to prevent any violence. It was felt that the school board's example of cooperating with legal rulings while continuing opposition through appeal to the Supreme Court had tended to defuse more active opposition to desegregation in Dayton.

In July 1977, the Supreme Court issued a ruling in the Dayton case which stated that the findings of fact and law did not support the desegregation plan ordered by the district judge; the district judge was

ordered to reconsider his previous busing order. Accordingly, in December 1977, the district judge determined that the plaintiffs had not provided sufficient evidence of systemwide constitutional violations to justify imposing a systemwide remedy.

In July 1978, however, the appeals court reversed the district court's finding and ordered the school district to continue its desegregation plan. At the same time, the appeals court instructed the district court to continue its review of violations in Dayton for the purpose of possible amendment of the desegregation plan for the 1979-80 school year.

San Francisco

In San Francisco, school desegregation first became an issue in 1972, when civil rights groups began demanding that the school board acknowledge that de facto segregation existed in the city. School district response to these demands was minimal until August 1975, when a school census was released that quantified the extent of segregation. Although the census revealed that there was less segregation in San Francisco than in many large urban districts, it also showed that there was some racial separation in the schools; for example, 4 of 95 elementary schools were more than than 90% white and 7 were more than 90% black.

In the 5-year period which followed, several alternative desegregation plans were drafted and vociferously debated in public meetings. As a compromise position, the school board finally decided to desegregate, on a pilot basis, in two predominantly middle class neighborhoods which were already substantially racially mixed. These plans were disrupted when San Francisco's major suddenly took a strong stand against any busing, and the city's voters passed an advisory referendum opposing busing by a three-to-one margin.

In June 1970, the NAACP filed suit against the San Francisco school district. The court's finding was in favor of plaintiffs, but it delayed issuing a ruling until after the Supreme Court had approved busing as a federal court remedy in Swann v. Charlotte-Mecklenberg Board of Education in April 1971. One week later, the judge ordered San Francisco to draft

a plan for desegregating its elementary schools; this was the first time a court had ordered desegregation of a large nonsouthern school district.

During the next four months, a 46-member Citizen's Advisory Committee prepared a desegregation plan. Shortage of time mandated virtually exclusive concentration on busing as the desegregation device, and the final plan required significant amounts of busing to achieve target enrollments.

Though the plan tried to be fair to all racial groups, its implementation in September 1971 met with widespread community opposition. The most active resistance came suddenly from San Francisco's large Chinese community, which organized a boycott and enrolled some 1600 Chinese children in a set of "freedom schools." To ensure more direct control of the school board, the city as a whole voted in June 1972 to elect school board members. (Since 1922, San Francisco school boards had been appointed by the mayor.) A more conservative school board was immediately voted into office.

Starting in 1972, the new, conservative school board allowed temporary attendance permits to be issued, which permitted students to be exempted from busing for reasons of health or curriculum (e.g., availability of bilingual education). In practice, generous implementation of this policy has led to widespread subversion of the desegregation plan. Because of temporary attendance permits and a relatively large decline in white enrollments, by 1974 the school district had fewer junior and senior high schools meeting racial balance guidelines than it had prior to the desegregation plan.

There has been little agitation recently for more complete desegregation in San Francisco. Because of the temporary attendance permits, almost everyone is attending the school of his or her choice. Blacks value their neighborhood schools, and the Chinese are preoccupied with bilingual-bicultural education programs that are in their schools as a result of the 1974 Supreme Court decision in Lau v. Nichols. A new superintendent in San Francisco hopes to introduce a new desegregation plan that will achieve target enrollments while requiring less busing.

Chattancoga

School desegregation in Chattanooga became an issue less than two months after the Supreme Court's final ruling in Brown v. Board of Education. In July 1955, the Chattanooga Board of Education stated that it would comply with the Brown ruling at some time in the future. But an initial meeting of a biracial advisory committee to study desegregation was disrupted by tear gas hurled through a conference room window. This and other indications of community opposition led the school board to defer action on desegregation until compelled to act by the court.

In the spring of 1960, an NAACP class action suit was filed, and in the fall of that year the school district was ordered by the court to submit a desegregation plan. For the next two years, alternate plans were proposed by the school board and rejected by the court, until in March 1962 the court accepted an amended plan for gradual desegregation. The plan was implemented peacefully in September 1962, and desegregation was gradually extended through the elementary schools in the following years, although nearly 1000 white students left district schools during this time.

In 1966, desegregation of the secondary schools was initiated, and in subsequent years there were incidents of rock-throwing disturbances between black and Anglo secondary students. Progress was limited, and late in 1969 the original NAACP plaintiffs filed another complaint charging that desegregation to date in Chattanooga had been inadequate. This suit led to the development of a second major desegregation plan, which was accepted by the court in August 1971.

The second desegregation plan consisted of two phases. The first phase was implemented from September 1971 through 1973. It involved changing enrollments in selected elementary schools by pairing and zone clustering, and the rezoning of four high schools to more than double their black enrollments. The second phase went into effect in January 1974. Large numbers of students were bused between elementary schools, all junior high schools were rezoned, and large numbers of teachers were transferred. During implementation of both phases, there were substantial

declines in white enrollments in the public schools, as many white students joined Chattanooga's large private school system.

A particularly difficult problem has been the securing of sufficient white enrollment in the city's two substantially all-black high schools. In June 1977, the Chattanooga district administration announced plans to close one of the black high schools, because of the difficulty of obtaining white enrollments there. The proposed closing has been vigorously resisted by the students of the school and by the black community in Chattanooga. At the time of the site visit, in the fall of 1977, a one-year reprieve in the closing of the high school had been granted so that alternatives could be studied.

Seattle

In Seattle, attempts were first made to deal with school desegregation problems in 1963, when the Seattle Urban League officially complained that there were eight predominantly black schools in the city and that this number could double within the next ten years. In August 1963, the Seattle Board of Education announced its initial desegregation plan, a Voluntary Racial Transfer Program through which the board hoped to move black students from the city's central area to outlying, predominantly white schools.

By 1965, however, it was evident that this voluntary plan was having little impact. In 1966, in response to a threatened NAACP lawsuit and to a school boycott, the school board promised to develop a new and more comprehensive plan. This plan was made public in December 1968, and was remarkable in that it would require the busing of 2000 middle school students, a provision which constituted mandatory busing without court order. Seattle was the first major city in the country to adopt such an action, though implementation was delayed for some years.

During the next four years, there was considerable community involvement in activities either supporting or protesting the middle-school busing plan. To stimulate voluntary transfers of whites, and thus avoid the necessity for implementing the busing plan, Seattle's first magnet program was organized in 1968, with funding obtained from the local

business community. The magnet was not successful in stimulating sufficient transfers, however, and the administration proceeded towards implementation of the busing plan. In 1971, a law suit brought by an anti-busing group was successful in delaying the busing for one year.

Following implementation of the middle school busing in 1972, little further was done until pressures again began to build in 1974. However, a series of financial setbacks to the Seattle school district in 1975 severely hampered the desegregation effort. The setbacks included the failure of a local school finance levy and the withdrawal of ESAA funds because of an unfavorable OCR compliance review. The number of voluntary student transfers in the district was also steadily declining at that time.

In January 1977, a desegregation plan was presented which depended exclusively on the establishment of magnet schools to attract voluntary transfers. This new plan met with opposition from forces for desegregation on the ground that past experience had shown such an approach was ineffective. Student-transfer enrollment for the proposed new magnet schools was, indeed, inadequate, and by June 1977 it had become clear that the ACLU and a coalition of other civil rights groups would file suit against the school district unless a mandatory desegregation plan were adopted.

In the months that followed, there was wide community participation in an intensive process of plan preparation. Finally, in December 1977 the school board adopted the first desegregation plan to provide for mandatory desegregation throughout all grade levels. It mandated an initial exchange of students in about half of the city's elementary schools, while at the same time allowing children options such as voluntary busing to magnet schools. Implementation was to start in the fall of 1978. The plan called for the busing of increasing numbers of students in subsequent years, until balanced enrollment goals were met at all grade levels.

Pueblo

Chicano minority criticism of the Pueblo public schools started in 1965, as part of a general minority activism stimulated by federal

programs to improve minority economic opportunities. But Chicano activism directed specifically at the schools did not occur until several years later, when legal sanctions and legislation providing for bilingual education began to contribute to a rise in ethnic consciousness vis à vis the schools. The first activist incident directed at the schools was a boycott staged in 1969 by Chicano high school students, protesting the school district's failure to observe Mexican Independence Day.

In the fall of 1970, the Pueblo Board of Education approved a plan to reorganize the schools and create middle schools. One of several purposes of this plan was to move children out of elementary schools a year earlier, since segregation was most concentrated at the elementary school level. Despite this reorganization, a pattern of increasing Chicano and Anglo confrontation over the schools continued until 1974 when, with the appointment of a new school superintendent, the opening of tension-reducing dialogue between the school district and Chicano activist leaders became possible. Tension was also reduced at this time by passage in the Colorado Legislature of a Bilingual Education Act, which provided state funds for bilingual education. Also, in 1975, under order from OCR, the school district implemented a number of changes that Chicano activists had been advocating. By 1976, violent confrontations between Chicanos and Anglos had virtually ended, and activist Chicano community leaders had been replaced by others more willing to adopt a less militant stance.

Pressure on the schools from the Chicano community continues, however. There is continued concern that some of the elementary schools with high percentages of Chicano students still have very low average reading and math scores. But progress has been made: The bilingual program is expanding in the Pueblo school district, and there are now many more Chicanos among teaching and administrative staff; Chicanos are also more willing now to make requests of the Pueblo schools, and the school district is more aware of Chicano problems and needs.

Summary

Of all the sites visited, Pueblo is closest to having achieved a degree of tranquility and equilibrium regarding the status of the ethnic

and racial groups in the schools. But this tranquility has been achieved without any substantial mandatory transfer of students from their neighborhood schools. Seattle, in contrast, stood poised to initiate massive forced movement of students for the first time. The complications and problems Seattle is likely to encounter have early been faced by Chattanooga, San Francisco and Dayton.

Chattanooga has so far been unable to solve the difficult problem of secondary school desegregation, and is now struggling with the controversial possibility of closing a popular black high school. San Francisco has had massive busing for years, but has also permitted widespread subversion of the intent of that busing; as a result, that city now faces the painful task of disturbing an existing equilibrium with a new desegregation plan. Dayton has only recently initiated massive busing, and the effort there is still clouded by uncertainties regarding final legal requirements.

In short, despite years of effort in these cases, none of the five sites has successfully concluded a desegregation process, if success is defined in terms of bringing individual school enrollments in line with city majority-minority population percentages. Partial success has been achieved in all cases, but, even in those sites still actively attacking the problem, a date for successful conclusion of the desegregation process cannot be foreseen.

IV EMERGENCY SCHOOL AID ACT

Overview

ESAA was enacted into law in 1972 to provide financial assistance to school districts for three purposes:

- To meet special needs arising from school desegregation.
- To encourage the voluntary reduction of minority group isolation in schools with a substantial proportion of minority group students.
- To aid school children in overcoming the educational disadvantages of minority group isolation.

To achieve these purposes, districts are allowed to use ESAA funds for one or more of fifteen activities. These include remedial services, hiring new staff for desegregation-related purposes, inservice teacher training, minority student counseling, multicultural programs, community activities, and magnet school planning and operation.

ESAA is administered by the Equal Educational Opportunity (EEO) unit in the U.S. Office of Education (USOE). Its current annual budget is about $300 million a year (appropriated in FY 1978), most of which is provided to districts that are implementing desegregation plans. The budget is divided among seven program categories. Funds for three of these, Basic Grants, Pilot Projects, and Nonprofit Organization (NPO) Grants are apportioned to states according to each state's minority enrollment. Basic Grants account for about half of ESAA's total budget; Basic, Pilot, and NPO grants combined account for almost 90% of the budget. The remainder is divided among four discretionary programs: Bilingual Projects, Educational Television, Special Projects, and Evaluation.

Program Scope and Activities

Table 1 gives an overview of the ESAA program at each of the five sites. The table shows that two of the programs studied, those in San Francisco and Chattanooga, were initiated in 1972 under auspices of the Emergency School Assistance Program (ESAP), a temporary funding authority

which preceded ESAA.* Seattle's program was initiated in 1973, and the remaining two, Dayton and Pueblo, in 1974. Thus, at the time of the study, the programs had been in operation for between three and five school years.

In terms of ESAA funding, the largest program examined was San Francisco's, where ESAA Basic has ranged from just under $1 million in 1977-78 to almost $4 million in 1975-76. During the three other years of ESAA funding, Basic was over $1 million one year and for two years was over $2 million. San Francisco also received substantial sums (ranging over the years from $395,000 to $1.9 million) from Bilingual, Special, Pilot, and NPO funding categories.

The smallest ESAA program examined was that of Pueblo, which has received between $300,000 and $500,000 annually since the program's inception in 1974. Funding levels of the other three ESAA case study programs are between those of San Francisco and Pueblo. Chattanooga has averaged about $875,000 annually over six years of funding, including ESAP funds for 1972-73. Funding for Seattle reached a high of $1.5 million for the 1977-78 school year, but has generally ranged between $500,000 and $600,000 for ESAA Basic and Pilot combined (except for 1975-76, when Seattle was ineligible for ESAA funds). Dayton's ESAA funding started at almost $300,000. There was no funding in 1975-76. Then funding rose dramatically to $2.25 million for 1976-77 and to more than $3.6 million during 1977-78.

In program content, San Francisco's primary emphasis has been on human relations education; through ESAA, the district introduced multicultural curriculum modifications into all of its schools at one time or another. Pueblo's focus was on bilingual programs, which were primarily bicultural in orientation and were implemented in selected elementary schools. The remaining three school districts used most of their ESAA funds for compensatory education. Chattanooga implemented a compensatory mathematics and reading program in selected elementary and junior high schools by placing resource teachers in the schools to provide training and assistance in compensatory education methods to regular teachers.

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*ESAP provided funds for the first time in August 1970.

Table 1

CASE STUDY ESAA PROGRAMS: AN OVERVIEW

Case Study Site	District Enrollment (approximate)	School Years of ESAA/ESAP Funding	ESAA Annual Funding Range* (x $1000)	Major Focus of Program
Dayton, Ohio	41,000	1974-75 1976-77 through 1977-78	138 - 4376	Compensatory education
San Francisco, California	63,000	1972-73 through 1977-78	1764 - 4976	Human Relations
Chattanooga, Tennessee	27,400	1972-73 through 1977-78	404 - 1163	Compensatory education
Seattle, Washington	59,000	1973-74 through 1974-75 1976-77 through 1977-78	515 - 1542	Compensatory education
Pueblo, Colorado	23,000	1974-75 through 1977-78	344 - 509	Bilingual education

*Excluding grants to local nonprofit organizations.

Seattle and Dayton followed the Title I model in providing compensatory education with ESAA funds; both implemented "pull-out" programs in reading and math, in which teachers paid with ESAA funds had separate classrooms to provide remedial help to students pulled out of their regular classrooms on a scheduled basis. Program activities at all sites are described in somewhat more detail below.

Although Dayton, the first site visited, has placed primary emphasis on compensatory math and reading, the ESAA program has included four additional components:

- Affective Needs (counseling)
- Instructional Inservice
- Human Relations Inservice
- Program Evaluation.

In the Affective Needs component, a counselor and a paraprofessional home visitor were placed in each of Dayton's nine high schools, with the primary responsibility of helping students of one race who had been transferred into a school which previously had been attended predominantly by students of another race. Instructional Inservice involved training for ESAA staff including instructional techniques and the use of diagnostic tests, while Human Relations Inservice was provided to all teachers in the district. Program evaluation was conducted by an outside contractor.

In San Francisco, the second site visited, the ESAA program has consisted of four major components:

- Multicultural Education
- Parent Involvement
- Oral and Written Communication
- Counseling.

Multicultural Education had top priority and received by far the largest share of program funds. Special resource teachers were placed in schools to assist regular teachers at all grade levels (but especially at the elementary level) in revising their curricula to reflect a multicultural orientation; the multicultural curriculum emphasized learning about other cultures to promote tolerance and respect for the differences among them.

Parent Involvement was the responsibility of paraprofessional parents assigned to one or more schools; these liaison personnel attempted to interest parents in school activities and served as intermediaries between parents and the schools in instances of problems. The purpose of the Oral and Written Communication component was to improve and train the students' skills in expressing themselves. The Counseling component of the program brought counselors into the San Francisco elementary schools for the first time.

The ESAA program in Chattanooga, the third site visited, has consisted of three primary components:

- Compensatory Education
- Student Involvement in Decision-Making
- A student newspaper.

Compensatory Education, which is the major component, placed resource teachers in selected elementary and junior high schools to assist regular teachers in diagnosing student needs and in developing plans to correct them. The Student Involvement in Decision-Making component lasted three years and provided student activities directors at the high schools, who helped organize biracial student committees to deal with race relations and other school problems. The student newspaper, which was two years old at the time of the visit to Chattanooga, is called The Bridge, and is produced by a staff of about 15 students from each of Chattanooga's three racially mixed high schools. The newspaper covers school activities and other topics of interest and is distributed to students, parents, school staff, and members of civic and school support groups.

Seattle was the fourth site visited. The ESAA program there has consisted of seven components, each formally named as a program:

- Basic Skills Impact Program
- Minimum Competencies Assurance Program (separate junior and senior high school programs)
- Compensatory Education Desegregation Assistance Program
- Magnet Success Assurance Program
- Alpha/Mentor Project for Special Students
- Ethnic Cultural Heritage Program.

The first five of these programs were compensatory, providing services similar to those provided under Title I. The Alpha/Mentor Program served gifted students, and was used as a factor to encourage voluntary student transfers. The Ethnic Cultural Heritage Program has emphasized development of elementary and junior high teaching materials that stress ethnic tolerance and pride.

Pueblo was the last site visited. The ESAA program there was divided into three components:

- Bilingual Education
- Alternate School
- Human Relations.

The Bilingual Education program placed greater emphasis on activities to promote appreciation of Hispanic culture than on language use, because Pueblo has very few children in its schools whose only language is Spanish. The Alternate School served about 70 students, with an enrollment reflecting the Chicano-Anglo distribution in the city population. In the Alternate School, students having behavioral problems in regular school were provided a supportive, small-group educational setting to facilitate their adjustment. The Human Relations program has consisted of a series of workshops for district staff, covering racism, sexism, time management, assertiveness training and other topics.

Administration and Staffing

The ESAA programs visited exhibited a variety of approaches to program administration, and three had switched from one approach to another in the course of their administrative experience. Dayton had the most separate and independent ESAA administration observed. The ESAA director reported directly to the superintendent of schools and directed the ESAA program as a relatively self-contained unit within the school district. The ESAA administrative staff was even housed in a separate building, located several miles from the main administration building.

In Chattanooga, the ESAA program was formally under the direction of a single person, who reported to the school district's director of federal programs. In practice, however, program leadership was divided

between the formal program director, who had responsibility for the ESAA secondary school programs, and a second person, who was responsible for Title I and ESAA at the elementary level. The rationale for this division of authority was that, because the Title I and elementary level ESAA programs were very similar, the same person should be responsible for both.

In Pueblo, the ESAA program was originally placed under the supervision of a director of federal programs. This centralized organization was eventually abolished because it had led to the creation of a "mini-school district," which district administrators disliked. Under the new organization, a separate line of authority was established for each of the three program components, with each placed in the district's administrative division to which it was functionally related.

The ESAA program in San Francisco has always been nominally under central administration, but, in practice, administration was decentralized because the administrative power of the central director was less than that of his subordinates, the program component directors. Under these circumstances, overall ESAA program accountability and control was weak. A similar situation existed in Seattle, although there the fragmentation of administrative authority had been explicit. In both cases, federal monitors have requested the emplacement of a single program director with sufficient authority to supervise all ESAA program components.

The professional staffing policy differed from one site to another in two major respects: whether program staff were primarily drawn from existing teaching staff or were newly hired for the program; and whether professional staff were required to work closely with regular school staff, or were given relatively independent teaching assignments. The least disruptive staffing arrangements were generally those in which the ESAA staff were drawn from existing staff. Problems occurred most often in situations in which newly hired professionals were required to work closely with existing staff.

In Dayton and Seattle most ESAA professional staff taught compensatory education in self-contained classroom settings. In Chattanooga, most of the professional staff served as resource teachers in compensatory

education. In all three programs, ESAA teachers were usually those with special skills or interest in the program, selected from the districts' existing teaching staffs. Assignment to the program was often considered a modest honor. Each of these programs reported relatively few staffing problems, although Seattle reported some difficulties in staff assignment, due to late funding notification and relatively rigid ethnic quota restrictions in staff assignment to schools.

The situation was quite different in San Francisco and Pueblo, where newly hired persons were required to work closely with existing staff in implementation of program goals. In San Francisco, the new professionals were to work as human relations resource teachers with existing staff, but experienced difficulty gaining acceptance in this role. In Pueblo, the new staff were thrust into a close working relationship with existing staff through assignment to common classrooms, an arrangement which required a relatively difficult period of adjustment.

At the paraprofessional level, staff problems were generally fewer and less serious than those reported at the professional level. All five case study ESAA programs planned that mothers of children in the public school system would fill most paraprofessional aide positions. Dayton, Chattanooga and Pueblo have continued this practice, but the large pool of qualified, unemployed teachers existing in the San Francisco and Seattle areas tended to displace the relatively unskilled mothers from paraprofessional positions in these cities. In Seattle the large pool of unemployed teachers also meant that holding a paraprofessional position was in many cases a prerequisite to obtaining a regular teaching position.

Community and Student Involvement

Formal community and student involvement in ESAA programs is mandated by regulations dictating the formation and periodic convening of advisory committees. These regulations were implemented fairly uniformly in the five districts, but, also uniformly, local perceptions were that their implementation has not been very successful in obtaining meaningful community and student advisory involvement in program planning and admin-

istration. With little mandated authority or training for their role, committees typically played an insignificant part in guiding program policy or activities. Attendance at the monthly advisory committee meetings tended to be sporadic. In some instances, committees did succeed in influencing program content or administration, although in at least two cases, changes advocated by the committee were later determined to be unworkable or ineffective.

Perceptions

Generally, the five ESAA programs seemed to be very highly regarded in their school districts and communities. Among other benefits, the funding was credited with improving student achievement, keeping attention focused on desegregation, and serving as a reminder that integration requires more than reassigning students and faculty. To many respondents, a particularly important, concrete effect of ESAA funding was that it provided resources to hire minority staff. In several districts, declining budgets and surplus teachers (because of shrinking enrollments) would otherwise have severely limited such staff additions. ESAA programs were also cited as providing training grounds for minority staff, who were gradually absorbed into regular teaching positions.

Perhaps the most negatively regarded ESAA program was that in San Francisco, but this was in the context of other problems the school district there suffered. Also, San Francisco attempted the more difficult feat of providing human relations, rather than compensatory, educational services with its ESAA program. Perhaps the most positively regarded program was that in Chattanooga, but some critics there felt that the program concentrated too heavily on compensatory education, to the exclusion of human relations.

The ESAA program in Dayton was also generally well received. Program aspects particularly valued were counseling and training, which were seen as filling a critical need in the desegregation process. A need for greater involvement of teachers, advisory committee members, students and the general public was cited, however.

In Seattle, the role of ESAA funding in helping keep community attention focused on desegregation was appreciated. The resources provided by ESAA were seen as critical to the success of the city's voluntary desegregation program, which has had to place heavy emphasis on quality education to have a chance for success.

The ESAA program in Pueblo was viewed locally as having both controversial and noncontroversial aspects. Bilingual education, which received a third of its support from ESAA, was controversial because Anglos resented having local tax resources devoted to it, while Chicanos favored the program. An Alternate School, wholly funded by ESAA, was controversial because it was sometimes seen as pampering problem students. A human relations program, also funded by ESAA, was not considered controversial.

Although ESAA was generally a popular program in the case study sites, respondents in all sites suggested aspects of the federal program that they believed should be improved. Some of the suggestions were common to all sites. Of these, the issue about which respondents felt most strongly was the 1-year funding cycle, which was seen as costly, taking time and effort away from project activities, and prohibitive of long range planning.*

Another common suggestion was that the deadline for grant notification be moved forward, from July to April or May.* The July date exacerbates staff turnover problems: most school staff are hired in the spring, and ESAA staff sometimes accept other positions at this time because they cannot be certain that ESAA funding will be renewed. Among those who do not take other positions, considerable tension reportedly exists each spring, which is sometimes translated into a degree of resentment toward the program. Additionally, many felt that the July notification date does not allow sufficient time to plan for the following fall's activities.

A third area of widespread discontent involved the mandated ESAA Advisory Committee. There appeared to be considerable feeling that the committee served largely to provide "rubber stamp" approval for school

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*This issue has been largely resolved in the Education Amendments of 1978.

district decisions on program content, administration, and other significant matters. A number of committee members interviewed expressed frustration and even bitterness at their exclusion from authority. Seeing the committee role in a similar light, some local program staff expressed frustration at having to "go through the motions" of establishing and supporting a "pro forma" committee.

The complex requirements for committee composition added to the discontent with the Advisory Committee in several sites, where committee membership requirements were met only after much difficulty. (ESAA regulations require equal representation of all significant racial and ethnic groups in the community, plus representation of parents, students, teachers, and various civic organizations.) Suggestions for enhancing the committees' effectiveness included relaxing membership requirements to allow more freedom for interested persons to become members, providing members with stipends and/or training, and increasing the committees' power by granting some degree of budgetary power or veto authority over certain program areas.

Another issue that emerged quite frequently, though from a variety of perspectives, was the focus of ESAA. Specifically, should ESAA continue to focus primarily on compensatory education, or should human relations receive more attention?* None of the respondents argued that remedial services are not needed, but opinions differed on whether ESAA should be the program to provide such services. The arguments for compensatory education largely emphasized the simple need of minority children for these services. Some respondents also related compensatory education to improved self-image and self-image, in turn, to the success of desegregation. On the other side of the issue, one of the main arguments against ESAA's funding of compensatory education was that these needs are long-term and therefore are more appropriately funded under long-term programs, such as Title I. Another argument was that ESAA

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*The Education Amendments of 1978 provide greater encouragement for human relations activities than in the past, but they do not preclude ESAA funding for compensatory education.

should focus on human relations because that is where the real problems of desegregation lie. Additionally, some felt that without an explicit mandate to focus on human services, school districts would continue to use the funds for additional compensatory education.

In almost all the sites, there was some criticism of alleged discrepancies from one region to another in philosophy and criteria for ESAA funding. Respondents from most sites had a sense that their district was being discriminated against on one ground or another (e.g., political philosophy, size of district, region of the nation, type of desegregation plan). On the other hand, most respondents seemed reasonably comfortable with ESAA guidelines on allowable activities, though there was some criticism of the guidelines' complexity. Some Dayton respondents, however, wanted more freedom in the use of funds, while the consensus in San Francisco seemed to be that much more active and directive federal monitoring of funds was needed.

Across the five sites, respondents were generally pleased with their relationship with their regional program monitors, whom they believed to be cooperative and effective. Partly because of the good relationships that have existed between districts and these regional monitors, respondents were uniformly unhappy about the centralization of the regional USOE staffs. In their opinion, centralization would create a barrier to communication and would result in an insensitivity to local needs and conditions.

V CIVIL RIGHTS ACT, TITLE IV

Overview

Title IV of the Civil Rights Act of 1964 provides for technical assistance and training to school districts that are in the planning or implementing stages of desegregation. While the program's original purpose was to help reduce racial discrimination, discrimination against limited-English-speaking students and against women has since been added to the program's areas of concern. The program's total annual budget is currently slightly less than $35 million. Assistance is provided through direct grants to districts—Local Education Agency ("LEA") grants--and through grants to three types of service organizations: General Assistance Centers (GACs), Training Institutes (TIs), and State Education Agencies (SEAs).

The current study focused on LEAs, GACs, and TIs. GACs and TIs are entities created under Title IV specifically to provide assistance to school districts requesting it. Both are typically housed in universities and are often staffed in part by university faculty and students.

TIs are authorized to provide desegregation-related training services, but not technical assistance, to districts. According to a 1976 Rand report on Title IV, TIs are "intended to act as a locally based inservice vehicle designed to help teachers, counselors, and administrators in one or a few districts."[1] In FY75, the Rand report indicated, the average size grant to TIs was $93,426.

GACs are typically larger than TIs in funding level, number of staff, and number of districts served. Rand found that in FY75, the average GAC grant was $340,188, the average number of full-time staff was eight, and of districts served, 98. GACs also provide a broader range of desegregation-related services, including assistance in the

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[1] Stephen Crocker et al., Title IV of the Civil Rights Act of 1974: A Review of Program Operations: Executive Summary, p. 5. R-1901/1-HEW. August, 1976.

development of desegregation plans, needs assessments, curriculum development, community involvement and staff training. In general, Rand notes, GACs are "intended to provide interdisciplinary skills for desegregation assistance."

Title IV LEA grants averaged $35,700 in FY75. The grants provide for districts to hire a desegregation specialist and in some cases for desegregation-related inservice training.

Like ESAA, Title IV has been administered by the EEO unit in USOE. Within EEO, the same program officer is usually responsible for monitoring both ESAA and Title IV programs in a given geographic area.

General Assistance Centers

All of the sites studied except San Francisco were actively involved with a GAC. Table 2 provides an overview of these GACs.* Inspection of this table indicates that the GACs are staffed by six to 11 professionals and have budgets (for the 1977-78 school year) ranging from about $400,000 to $550,000. The oldest GAC of this group is the Educational Opportunities Planning Center (EOPC) in Knoxville, Tennessee, which has been funded under Title IV since 1966. Kent State Center for Educational Development and Strategic Services (KEDS), in Kent, Ohio, has been funded as a GAC since 1973, and the two GACs serving Seattle and Pueblo (Northwest General Assistance Center and Region VIII General Assistance Center, respectively) both began operations in 1975. The service territory of each GAC ranges from a single state (Ohio), in the case of KEDS, to an entire DHEW region, in the case of the Region VIII GAC at Weber State in Utah.

GAC Activities

Each of the four GACs provides assistance to school districts in combatting racial and sex discrimination. Under this rubric fall such topics as curriculum development, multicultural education, needs assess-

*San Francisco and Seattle have access to GACs not included here because the districts have made little use of them. In both cases, district administrators believe that, for one reason or another, the assistance provided will not be particularly useful. Because the present study focus is on the school districts, rather than on the GACs, these two GACs were not studied in any detail.

Table 2

CASE STUDY GACs: AN OVERVIEW

Case Study Site	GAC Title	Location	1977-78 Budget (x $1000)	Number of Professional Staff Members	First Year of GAC Funding	Service Territory
Dayton, Ohio	Kent State Center for Educational Development and Strategic Services (KEDS)	Kent State University Kent, Ohio	550	11	1973	Ohio
Chattanooga, Tennessee	Educational Opportunities Planning Center (EOPC)	University of Tennessee at Knoxville	434	7	1966	Tennessee Kentucky
Seattle, Washington	Northwest General Assistance Center	Portland State University Portland, Oregon	532	8	1975	Washington Idaho Oregon
Pueblo, Colorado	Region VIII General Assistance Center	Weber State College Ogden, Utah	400	6	1975	Colorado Montana North Dakota South Dakota Utah Wyoming

ments, school-community relations, and student and staff assignments. All four GACs offer both district-specific assistance and workshops or conferences to which a number of districts are invited. Districts are notified of the availability of GAC assistance through periodic newsletters, brochures, letters and visits. GACs may provide assistance only after having received a formal (written) request from the superintendent. Although all GACs reported that this requirement sometimes presented problems, none has suffered from a lack of opportunities to provide assistance. Indeed, the demand is so great that each GAC has developed some kind of system for selecting the districts they will assist, with the major criterion typically a combination of need and commitment. All GAC respondents spoke of the necessity of proceeding slowly in their early interactions with districts, to establish credibility and rapport with district representatives. These early interactions typically must be conducive to overcoming district suspicions of the GAC's "ivory tower" nature and of its perceived (but nonexistent) link to OCR.

Case Study Site Involvement

GAC involvement with the case study sites has taken a number of forms. In Dayton, GAC assistance has consisted largely of staff training on a variety of matters, most of which included human relations and multicultural awareness. Trainees ranged from administrators to bus drivers and food service workers. No assistance was provided on curriculum because Dayton administrators felt they had sufficient internal expertise to deal with curriculum matters.

In contrast, GAC assistance to Chattanooga has been mainly concerned with curriculum, and has tended to avoid human relations activities. Chattanooga administrators generally expressed the belief that race relations are better dealt with through task-oriented activities than through attitude workshops. Most recipients of GAC assistance in Chattanooga have been teachers, though some administrators have been included, too. Students have received assistance through GAC financial support of their student-produced multicultural newspaper.

In Seattle, GAC assistance has consisted mainly of funds for consultants who have provided workshops, in-service training, and consultation services to administrators, teachers, and support staff in such areas as women's rights, curriculum, and staff development. The GAC has also helped the district prepare an ESAA proposal. At the time of the visit, the GAC planned to conduct a community survey to help determine potential problems in the massive desegregation effort to begin in the fall of 1978.

GAC assistance to Pueblo has included both one-shot workshops and year-long programs, the latter comprised of a series of workshops and activities in the schools. Topics have included the development of an affirmative action plan, preparation of an ESAA proposal, Hispanic culture and communication, instrument development for evaluations and needs assessments, and development of criterion reference testing procedures and materials.

Perceptions

Three of the four GACs discussed above were on excellent erms with the case study sites they served and were generally perceived as responsive, sensitive and helpful. The fourth--the Northwest GAC, serving Seattle--had a strained relationship with district administrators, who believed that GAC services were neither useful nor sophisticated. (This attitude seems to date from the district's support of a competing--and unsuccessful--GAC proposal in 1975.) As mentioned above, San Francisco was not involved with a GAC.

Despite the general excellent relationship between GACs and case study districts, district respondents had some criticisms of GAC services. These often centered around the perceived lack of experience or expertise of some consultants and workshop leaders. It should be noted, however, that most participants rated the workshops positively. Not surprisingly, administrators also tended to believe that districts should have a greater voice in how "their portion" of GAC funds should be used, and some even suggested that districts should be given the funds directly rather than having them routed through a GAC. This sentiment was countered by other respondents' views that funds given directly to districts for

desegregation-related training would be wasted, because most districts do not have sufficient expertise internally to use such funds effectively.

Just as districts had some criticisms of GACs, the GACs have encountered some difficulties working with districts. One problem is getting districts to focus on central desegregation issues in their requests to the GACs. Districts usually want the GACs to provide general curriculum or staff development training, or, if they do ask for assistance that is desegregation-related, the topic is often one that the GAC believes is peripheral to the district's main desegregation needs. None of the GACs saw any good ways to eliminate this problem, but they have developed various strategies for circumventing it. One technique is to point out how concentration on racial issues can improve the district; another is to start first with sex discrimination (about which there is generally less defensiveness) and then to work into racial discrimination; a third is to encourage the district to first perform a needs assessment.

Related to the above problem is the difficulty of providing training to individuals who need it the most. Some respondents felt that mandatory attendance at workshops would be the best solution. Others felt this would produce resistance, and that a better solution would be to provide effective incentives, such as released time or course credit. Regardless of the preferred solution, it seems clear that the impact, even of workshops of the highest quality, will be severely limited as long as those exhibiting the greatest need for training do not attend the sessions designed to provide it.

Another problem is that the relatively low frequency of on-going coordinated assistance also diminishes the effectiveness of GACs. All GACs said they strive to provide as much of this kind of assistance as possible, and district respondents, too, often noted that such assistance is more effective than "one-shot" workshops. Yet the latter continue to occur frequently, probably because they are relatively inexpensive and simple to arrange, and because there is no strong pressure on either the GACs or the districts to avoid them. One GAC respondent suggested that Title IV regulations require that all GAC assistance be integrally related to districts' desegregation plans.

Most respondents felt Title IV to be a useful program, but believed that the program could be more effective if certain regulatory changes were made. Prime among the suggested changes was multiyear funding. As with ESAA programs, the annual proposal writing significantly reduces the amount of time the GAC can spent working with districts, and long-range planning is impossible. Also, GACs have difficulty hiring and retaining staff when they cannot provide assurance that the job will last more than a year. These difficulties are in great measure resolved by the recent change in regulations that provides for continuation grants for up to two years following the original grant.

Other suggested changes include:

- Less reliance on quantitative criteria (such as number of districts served) in evaluating GACs and more reliance on measures of the quality of assistance provided. This change would encourage GACs to work with districts individually over a period of time rather than providing "canned" workshops for a number of districts.
- More clearly specified regulations or more attention devoted to Title IV by EEO program staff. (The revised regulations do provide clearer specifications than did the former regulations.)
- Less overlap in the services provided by GACs and TIs, or requirements for more coordination between these two grantees. (This is covered to a certain extent in the revised regulations.)
- A determination of funding levels on the basis of the geographic area to be covered, as well as on the number of minority children in the area. (This change has been made in the latest revisions through a provision for considering the relative cost of providing services in each region.)

Not surprisingly, GACs also typically felt that they could benefit from an increase in funding. They argued that there were many district needs that had gone unmet because of insufficient funds.

Some respondents expressed a need for more nationwide coordination of information on desegregation. They felt they could profit from

information about how and why other Title IV programs are successful and from the availability of models that could be adapted to local needs.

Finally, respondents were unanimous in their disapproval of the centralization of the present regional EEO staffs. They fear that centralization will mean that program officers will be less familiar with local conditions, that the amount of red tape will increase, and that, generally, program officers will be less responsive and less useful to grantees than they have been.

Training Institutes

Only two of the sites studied--Dayton and Pueblo—were served by a Title IV Training Institute (TI). The TI serving Dayton operated out of Central State University in Wilberforce, Ohio, about 15 miles from Dayton. CSU received Title IV TI funds, ranging between $150,000 and $200,000 annually, between 1973 and 1977. (Its proposal for funding for the 1977-78 school year was not accepted.) CSU was staffed by three full-time persons (assisted by a considerable number of consultants) who provided assistance to eight districts in Ohio on various topics related to racial discrimination, bilingual/bicultural education, and sex discrimination.

The TI serving Pueblo, the Institute for Equality in Education (IEE), operates out of the University of Colorado at Denver. It has received TI funds since 1976--about $66,000 for 1976-77 and about $161,000 for 1977-78. IEE is staffed by six professionals and two support persons, plus a number of consultants. Assistance is provided to 21 districts in Colorado on topics related only to sex discrimination.

TI Activities

The primary activity of both TIs is training, provided through workshops for inservice personnel. Both also provide consulting services, and CSU operated an intern program during 1973-74 and 1974-75.

The two TIs operate rather differently. CSU tended to provide a number of individual workshops on specific topics for each district it served. Topics were developed in coordination with district staff, and

included conflict resolution, minority student counseling, racial discrimination and "humanizing" the curriculum. CSU has been serving Dayton since the TI's inception, and in fact was designed originally to serve only that district. About ten workshops have been given annually for Dayton, mostly for teachers and counselors. Some workshops were designed for staff at a particular grade level and subject matter, such as eighth and ninth grade language arts. One workshop was given specifically for ESAA teachers and aides.

IEE, in contrast, concentrates mostly on a structured program of workshops to which a number of districts are invited to send a team of representatives. Workshops last from one to three days, and then the participants are sent back to their districts with plans to carry out individually designed projects to deal with their districts' needs in countering sex discrimination. Later in the school year, another series of workshops is held to assess each district's progress and to provide new information on sex discrimination issues. IEE staff hope that ultimately the workshop participants will become resource persons on sex discrimination issues in their districts. IEE's involvement with Pueblo began in the 1977-78 school year. Several Pueblo representatives, including the Affirmative Action Director and the ESAA-supported Human Relations Director, took part in the workshop program. One of the district projects initiated through these workshops was an evaluation of the district's Title I (sex discrimination) program.

Perceptions

District respondents generally felt that the assistance provided by the TIs was valuable.

The TI staffs have encountered the same kinds of difficulties working with districts as have the GACs, and they have many of the same complaints about Title IV regulations. Most notably, they too are very critical of the one-year funding cycle, citing the same difficulties with it as did the GACs. (The revised regulations do not provide for continuation grants for TIs.) Other areas of concern were:

- The grant notification date of July 1, or later. Notification this late in the school year exacerbates staff turnover problems.

- The centralization of regional EEO staffs.
- The absence of past performance as one criterion in the determination of TI grants. With the current emphasis on the quality of proposals, a TI doing a poor job can continue to be funded as long as it submits a yearly proposal of high quality.

Local Education Agency (LEA) Grants

All case study sites except Dayton have received direct Title IV grants to the school district. The amounts and years of funding, summarized in Table 3, have varied considerably. The number of years of funding have ranged from two in San Francisco to eight in Seattle. The earliest of the districts to receive funding was Chattanooga, which was funded in 1965-66, the first year Title IV funds were available. The total amount of funding ranges from $127,000 in Pueblo to almost $700,000 in Chattanooga. As the table also shows, the earlier grants (with the exception of Seattle's first two years of funding) tended to be considerably larger than the more recent ones. At the time of the site visits, Chattanooga, Seattle, and Pueblo were receiving Title IV LEA grants.

The earlier LEA grants tended to support community education and inservice training for teachers and administrators. The thrust was to teach individuals how to interact effectively in the newly integrated schools. For example, early workshops in Chattanooga dealt with the cause of prejudice, inter-ethnic group problems, cultural differences, and factors affecting differences in student achievement. Early funds in Chattanooga also supported an attempt at teacher desegregation through the organization and training of desegregated teaching teams. In San Francisco, inservice activities were supplemented by several community liaison workers (paid through Title IV funds), who acted primarily as trouble shooters to the schools, visiting parents in their homes, observing classrooms, and helping to resolve teacher-student conflicts and similar difficulties.

Beginning about 1973, when the much larger ESAA grants became available, Title IV LEA grants to the case study districts were reduced to between $34-$47,000 (one grant was $16,000). As required by Title IV

Table 3

TITLE IV LEA GRANTS
(x $1000)

	San Francisco	Chattanooga	Seattle	Pueblo
By Year:				
1965-66	--	150	--	--
1966-67	--	--	--	--
1967-68	--	170	--	--
1968-69	--	177	14	--
1969-70	--	66	22	--
1970-71	139	--	--	--
1971-72	150	--	86	--
1972-73	--	--	90	--
1973-74	--	--	35	--
1974-75	--	--	34	32
1975-76	--	40	--	40
1976-77	--	44	39	16
1977-78	--	47	44	38
Total	289	695	363	127
By number of years	2	7	8	4

regulations, all districts have used these funds to support the position of desegregation specialist. The activities of this specialist have varied. In Chattanooga, the desegregation specialist administered a parent involvement program for two years, and for one year a program in school discipline for school administrators. In Seattle, the specialist has worked to obtain community support for the district's desegregation plan and has used Title IV funds to sponsor various workshops proposed by individuals in the district. In Pueblo, the specialist directs the district's affirmative action program. He has had responsibility for development and implementation of the district's long-range affirmative action program and collection of affirmative action related data, and he has served as a troubleshooter in conflicts among district administrators, teachers, students and community representatives. As in Seattle, in Pueblo LEA funds are also used to support and organize desegregation-related workshops proposed by individuals in the district.

Perceptions

With the exception of San Francisco, most respondents believed that the Title IV programs were cost-effective, and in each site respondents pointed to what they felt were key accomplishments. In Chattanooga, the early Title IV LEA programs were believed to have helped convince the community that the district was serious about promoting desegregation. The more recent programs were seen by most as valuable in providing an arena in which to experiment with methods which might later be incorporated into large service programs like ESAA. There were many who felt, too, that the program had been effective in changing the attitudes of teachers, parents and principals, by enabling people to know each other and work together.

In Seattle, the program's accomplishments revolved around the activity of a single person, the desegregation specialist, who played a critical role in mobilizing community support for the district's desegregation plan. Community support was, in turn, crucial to the school board's decision to adopt the plan.

In Pueblo, the program was seen to be effective in hastening progress in affirmative action and in coordinating ESAA and other Title IV support.

In San Francisco, respondents saw some relatively minor accomplishments, but these were outweighed by the many administrative and staffing problems that the program encountered. It was also suggested that some of the local program's goals for inservice training were overly optimistic.

Perceived problems with the Title IV LEA program as a whole centered mostly around the current low funding levels. A number of respondents argued that the grants are so small they are almost not worth the effort of applying. Others countered that, although the grants are indeed small, they support activities that the district otherwise would not perform or would find difficult to perform because of community resistance. Some also argued that the small size of the grants encourages districts to try out new ideas that would be too risky for larger grants.

Another perceived difficulty with the program, perceived mostly in Seattle and San Francisco, was the absence of any requirement that the desegregation specialist position be at a specified (high) level within a district's hierarchy. These people felt that the specialist should be required to report directly to the superintendent so that the probability of playing an effective role is enhanced.

The widespread complaint that one-year funding is unsatisfactory was also heard about the Title IV LEA programs, although with less unanimity here than in regard to the other programs. The arguments advanced were that continuity in program content and in staffing are difficult to achieve with short-term funding. On the other hand, some persons felt that because the grants are so small and usually involve only one person, the short funding cycle did not pose any great difficulties. A few respondents even argued that one-year grants are preferable, in part because they encourage the district to try new ideas. (It should be noted that "new ideas" have been the focus of Title IV programs only in Chattanooga.)

Most Title IV LEA respondents were also similar to other respondents in their desire for earlier grant notification, because summer notification tends to create a multitude of scheduling and staffing problems.

In summary, despite the above-noted difficulties, respondents generally believed the Title IV LEA program to be worthwhile and felt that its focus is appropriate.

VI OFFICE FOR CIVIL RIGHTS (OCR)

Overview*

In addition to establishing technical assistance programs under Title IV, the Civil Rights Act of 1964 also set out the requirement under Title VI that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." The Office for Civil Rights is the office within HEW that is responsibile for enforcing compliance with Title VI. Like the Title IV programs, OCR's focus was originally on racial discrimination, but with the passage of new civil rights legislation and judicial decisions, it has expanded its purview to cover discrimination against women, persons with limited English-language ability, the handicapped and the aged. These additional areas of concern have derived, respectively, from Title IX of the Education Amendments of 1972†; the Supreme Court decision in Lau v. Nichols; Section 504 of the Vocational Rehabilitation Act; and the Age Discrimination Act.

Administratively, OCR consists of a central office in Washington, D.C., plus offices in each of HEW's ten regions. For legal support, each of these offices relies on the regional (or central) office of the Civil Rights Division of HEW's Office of General Counsel. Within each OCR regional office and within the central office, the Elementary and Secondary Education Branch is responsible for enforcing nondiscrimination in school systems.

OCR's primary means of enforcing Title VI and other nondiscrimination legislation is through its authority to terminate or refuse to grant financial assistance to noncomplying school districts. To deter-

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*Much of the substance of this overview was derived from "The Title VI Enforcement Process," by Richard I. Slippen, in the Wayne Law Review, 20(3). March, 1975. Pp. 931-954.

†Title IX prohibits discrimination against women in education, but not in other areas covered by the broader Civil Rights Act of 1964.

mine noncompliance, OCR depends on a combination of the following: periodic compliance reviews conducted by OCR staff, investigations of individual complaints, reviews of enrollment and staffing data provided in ESAA proposals, and reviews of its own annual "101" and "102" school survey forms.

The 101/102 forms have been perhaps the most controversial of OCR's activities. They require detailed specifications, including racial, ethnic, and sex breakdowns in enrollment, both schoolwide and in vocational education, special education, English-as-a-second-language, and gifted programs. The forms also ask for data on such matters as suspensions, facilities suitable for use by the handicapped, and pupil composition of individual classrooms. The data gathered by the survey are used to indicate areas of possible discrimination. For example, a very high percentage of minorities enrolled in special education might indicate that those students were being discriminatorily assigned to such classes. If the district in question were to show, however, that all the special education assignments were made on the basis of legitimate and objective criteria, no enforcement actions would be taken. The surveys thus show OCR which districts to look at, but do not themselves indicate whether discrimination is or is not occurring.

All five of the sites studied have been actively involved with OCR at various times in their desegregation history. Most of the interactions have been between the appropriate regional office and the district, but Pueblo and Seattle have also had considerable dealings with Washington-based OCR staff. The regional offices of concern, and the number of professional staff in the Elementary and Secondary Education branch of each, are:

- For Dayton, the "mini-regional" office in Cleveland, within the overall jurisdiction of Region V (based in Chicago)--11 professional staff members for the mini-region.
- For San Francisco, Region IX office, located in San Francisco--25 professional staff members.
- For Seattle, Region X office, in Seattle--10 professional staff members.

- For Pueblo, Region VIII office, in Denver--7 professional staff members.

Regional Office Activities

Professional time in each regional office is divided among three main areas: responses to complaints, ESAA reviews, and OCR-initiated compliance reviews. (Review of the 101/102 forms is performed primarily by the central office.) In three of the four offices from which information was available*, respondents reported that complaints consume most of the staff's time. In the fourth office, Atlanta, staff time was said to be divided about equally among the three main areas. A wide variation exists in both the subject matter and scope of the complaints received. Nevertheless, an upsurge of related complaints has followed the announcement of the Lau decision (protecting the rights of persons with limited English-speaking ability), the passage of Title IX of the Education Amendments of 1972 (protecting the educational rights of women), and passage of Section 504 of the Vocational Rehabilitation Act (protecting the rights of handicapped persons).

All regional offices concentrate largely, or even exclusively, on ESAA reviews for a month or more during the early part of each year. The reviews consist of examining districts' ESAA applications to determine that each applicant is eligible to receive ESAA funds. In the early years of the program, OCR staff conducted on-site reviews of applicants, but travel allowance reductions in 1974 and time pressures forced a virtual elimination of such site visits.

Because OCR is required to process all complaints within 90 days of their receipt (following Adams v. Weinburger, 1975) and is required to provide a 48-hour turn-around on ESAA applications, these activities tend to take priority over OCR-initiated compliance reviews in the regional office. These compliance reviews tend to be complex and lengthy, some requiring many years of investigations and negotiations.

*We are unable to report on Cleveland's OCR office because of our inability to collect data on their activities.

Case Study Site Involvement

The existence of court orders regarding school desegregation in Dayton, San Francisco, and Chattanooga has meant that many of the issues of civil rights compliance at those sites fall under the jurisdiction of the courts. OCR's involvement with them has therefore been less extensive than its involvement with Pueblo and Seattle. Following is a brief description of the nature of OCR's involvement with each site:

Dayton--(Only limited information was available from the OCR office responsible for Dayton)--OCR's first action regarding Dayton was a letter in 1969 finding the district out of compliance with Title VI with regard to staff assignments. The district responded by desegregating its staff in the following year. The superintendent also took the unusual step of urging OCR to take a stronger stand against the existing student segregation in the district. However, evidently no action was taken by OCR. In 1972, when a more conservative school board and superintendent took over, the NAACP filed suit against the district. Since 1972, Dayton has been in court or under court order, and OCR's involvement has been limited to ESAA compliance reviews and investigation of complaints. As a consequence of one of the ESAA reviews, changes were required in teacher assignments. Among the compliants investigated, one involved sex discrimination and one involved racially discriminatory student suspensions, but as far as we could determine, no actions have been required of the district.

San Francisco--In 1969, OCR initiated a Title VI compliance review of San Francisco schools. This review was still underway when the district was taken to court in 1971 by the NAACP but was discontinued at that time. ESAP and ESAA compliance reviews have been conducted annually since then and have resulted in various required changes related to enrollment patterns and services for limited-English-speaking students. A number of complaints have also been received on a variety of issues. One, in 1975, was from the ESAA Advisory Committee, which complained about the district's policies in implementing the ESAA program. OCR responded that it had no jurisdiction over the issues of concern. In response to other complaints, OCR has corresponded with the district on various topics.

Chattanooga--Chattanooga, under court order to desegregate since 1960, was first involved with OCR in 1972, at which time OCR conducted an on-site ESAP compliance review. As a result of this visit, changes were made in staff assignments. An ESAA compliance review in 1974 resulted in changes in special education placements and school disciplinary procedures, but reviews since then have prompted continued concern about these two issues, and also about sex discrimination. Special education was the subject of considerable correspondence and disagreement over a period of about two years. At the time of the site visit for this study, this issue reportedly was largely resolved, but concern about sex discrimination and discriminatory disciplinary procedures continued.

OCR respondents reported that few complaints had been received about Chattanooga. Of the three that were mentioned, two were referred back to the district. The third, regarding allegedly illegal transfers to county schools, resulted in OCR's applying pressure to both Chattanooga and the county to force an end to the transfers.

Seattle—OCR's major involvement with Seattle occurred in 1975 and 1976, beginning with OCR's review of the district's eligibility for ESAA. The district was found to be in non-compliance with eligibility requirements on three grounds:

- racially discriminatory staff assignments.
- inadequate identification of and service to students with limited English-speaking ability.
- failure to maintain local fiscal effort.

The district and OCR then entered into a year-long period of often bitter and hostile negotiations. Notable aspects of the negotiations included the early and continuing involvement of Seattle's congressional representatives and a U.S. General Accounting Office investigation of the matter (prompted by a letter from Representative Joel Pritchard to the U.S. Comptroller General). At the heart of the issue was Seattle's position that its staff assignments and its program for limited English-speaking students were based on "sound educational policy" and therefore should not be considered to be in non-compliance. OCR's position, in effect,

was that Seattle's determination that it was operating under sound educational policy was not relevant; the facts indicated clear-cut discriminatory actions.

Seattle received no ESAA funds for 1975-76. After nine months of negotiations with little or no progress, in May 1976 OCR began proceedings, under the authority of Title VI, to defer approval of any new federal funds for elementary and secondary education. Finally, with Title VI hearings about to begin, the district agreed to assign minority staff proportionally throughout the schools and to comply with Lau v. Nichols in its program for limited English-speaking students. (The issue of failure to maintain local fiscal effort was never contested, as the failure was due to voter refusal of a local school levy. The problem was overcome by an increased state appropriation for schools.) Following the compliance agreement, the threat of federal funding deferral was removed, but eligibility for ESAA remained stalled because review of the district's 1976-77 proposal had indicated new areas of non-compliance--resurgence of the problem of inadequate local fiscal effort, failure to comply with the district's own desegregation plan, and failure to provide adequate provision for nonpublic school participation in planning ESAA activities. Agreements on each of these issues were reached by fall, and ESAA funds were awarded for 1976-77.

Since the fall of 1976, OCR's involvement with Seattle has consisted of handling a few complaints that have either been dropped or referred elsewhere. A standing NAACP complaint on student assignments had not been acted upon pending the district's voluntary adoption in the fall of 1978 of a new desegregation plan (see Chapter III).

Pueblo--In 1972, OCR staff in Washington, D.C., conducted a Title VI compliance review of the Pueblo district; in October 1974, a second visit was conducted. The result of these two visits became known in December 1974, when OCR notified the district that noncompliance had been determined in four areas. To quote from OCR's letter of notification to the district, the four problem areas were:

- "Neglect to rectify the language deficiencies of children who are non-English-language dominant."

- "Recruitment, employment, and assignment of minority personnel."
- "Assignment of children to homogeneously grouped classes" (i.e., tracking).
- "Assignment of students to classes for the educable mentally retarded (limited intellectual functioning)."[2]

Unlike district officals in Seattle, those in Pueblo largely agreed that most of OCR's charges were valid and that the district should remedy the problems. They did take issue, however, with some of the charges in the letter, and they were uncertain about how to remedy the problems they acknowledged. Over the next year Pueblo administrators developed a compliance plan and sent it piece by piece to OCR in Washington for review. Washington's requirements became increasingly specific, until at one point they requested that Pueblo exchange a minority and a nonminority administrator in two schools. With the approval of the regional OCR office, Pueblo refused. OCR subsequently dropped the request and in November 1975, notified the district that its compliance plan, as amended over the months, was acceptable.

Pueblo has had few interactions with the Washington staff since this period. Regional OCR staff reported they have investigated several complaints against the district during the last two years but found them to be without merit.

District Perceptions

Not surprisingly, given the adversary nature of their relationship, case study districts have a largely negative view of OCR. (We would like to emphasize that these districts' comments do not necessarily represent nationwide reaction to OCR. These five districts were selected because they have had significant desegregation action; other districts with less desegregation involvement may well have quite different views.) In some cases, negative remarks about the agency were tempered with indications of amiability toward individual regional staff members (most notably,

[2]Gilbert D Roman, Director, Region VIII, to Dr. Robert R. Freeman, Superintendent of Pueblo Public School District No. 60, December 12, 1974.

in San Francisco and Pueblo). But often even the personal relationships were cool, if not hostile. Accurate or not, district perceptions of OCR personnal served to aggravate already negative attitudes toward the agency itself.

Negative attitudes toward the agency generally focused on one or more of the following:

OCR's Annual Data Collection Requirements (101 and 102 Survey Forms)

District respondents were virtually unanimous in their intense dislike of the 101/102 survey forms, which, as noted previously, are used to gather data in order to identify possible patterns of discriminatory behavior. The forms are felt to be "horrendously" detailed and confusing; they change almost every year, thereby frustrating any district attempt to establish a data bank of HEW-required information; and the level of effort required to collect the data each year is described as "tremendous," "massive." The superintendent of the Seattle district claimed in a 1977 letter to the National Center for Education Statistics that completion of the 1976-77 forms required 1050 person-hours--about six person-months--and approximately $14,000 in computer programming costs. And in Pueblo, a district administrator claimed that the forms were so difficult to complete that at least one computational or other error was found in 1977 in forms from 22 of 29 Pueblo schools.

Districts also find it frustrating that the forms must be redone in their entirety every year, regardless of whether or not there are substantial changes in the data reported.

The "crowning blow" in the eyes of district administrators is their sense that the data overwhelms OCR as much as it does the districts and that much of it is analyzed years after it is collected, if at all. Chattanooga administrators reported that they received a call from the Washington OCR office about their 101 form from three years before. They query the point of analyzing 3-year old information which may well be completely out of date.

It should be noted that district administrators' dislike of the 101/102 forms probably also reflects some concern that the forms will

suggest to OCR that district student assignment practices may be discriminatory.

Several suggestions for improvement were provided. The most frequent was that a major report be required only every three to four years, or whenever substantial changes occur, with reduced forms submitted in the interim. Other suggestions included: "sufficient" advance notice of changes in the forms should be given to districts; districts should be reimbursed for "unusual or initial costs" in completing the forms; OCR should give districts a computer format for each question and allow districts to provide their responses in machine-readable format (to eliminate transcription efforts); and a task force of district administrators and OCR representatives should be created to refine and distill the forms. (Currently, chief state school officers are involved in the design of the forms, and other education groups review them. Our respondents either were not aware of this involvement, or they did not believe it was dealing adequately with their concerns.)

Perceived Lack of Due Process Afforded to Districts

District administrators tended to be frustrated by and resentful of what they view as OCR's authority to require virtually any amount or kind of information the agency deems necessary to its investigation. They also resent what they see as a "guilty until proven innocent" approach sometimes adopted by OCR.

Perceived Lack of Authority Held by Regional OCR Offices

At the same time that districts disliked what they viewed as OCR's overwhelming power in some areas, they were also frustrated on occasion by the lack of authority the regional offices seem to have vis à vis the Washington office. This frustration arises because in most cases the regional offices are responsible for interacting with the districts, but they are perceived to have little authority to make decisions that are not purely "routine." The situation is aggravated because the communication process between the regional and central offices is apparently cumbersome and the coordination poor. OCR is reportedly aware of this problem, however, and has recently received Congressional approval to

hire additional staff, including regional attorneys intended to increase the ability of the regional offices to reach final decisions on enforcement matters.

Regional Staff Perceptions

Respondents in the OCR regional offices typically saw OCR's strength as their region's effectiveness in enforcing compliance in one or more areas of civil rights. The Atlanta office, for example, mentioned its accomplishments in the areas of classroom assignments and ability grouping, special education, and women's rights. The Seattle office mentioned its effectiveness in dealing with Lau cases. None of the regions cited features of the central office as particular OCR strengths or areas of effectiveness, although some noted that the central office does provide consistency to OCR operations.

Regional staff agree with district sources that the 101/102 forms cause problems for districts, and they are sympathetic with district difficulties. One respondent was especially critical of the detailed sampling procedures districts are expected to follow and of the high likelihood of error that derives from the forms' complexity. He also felt that the level of effort required to complete the forms is too high, given that the forms can be used only to target subsequent investigations (and not as proof of discriminatory actions). In another region, a respondent felt that the many changes in the forms from year to year has been one of the major difficulties, since this inconsistency renders longitudinal comparisons almost impossible.

Regional staff also agree with district sources that the lack of regional autonomy hampers their ability to deal effectively with districts. In the words of one respondent, "The bureaucratic maze is the weakest link; everyone is second-guessing everyone else." A related complaint was the reportedly poor coordination and communication between the regional and central offices, and also between the regional offices and OGC. Members of several regional offices expressed dissatisfaction with what they perceive as the excessive amount of time often required by either OGC or the central office to perform their part of an investigation. One

respondent claimed that often, by the time the central office completes its investigation, the data in the original letter of findings are "so old we have to start an investigation all over again."

At least one of the reasons regional autonomy is not possible, however, is reportedly that policy is not sufficiently clear on a number of issues to be able to allow a variety of offices to make their own decisions. Central authority is the only way consistent policy can be maintained across regions. OCR could be much more effective, a number of regional respondents argued, if civil rights policy were clarified.

OCR could also be more effective, all regions felt, if the regional offices had larger staffs. All affirmed that understaffing is a chronic problem, severely inhibiting ability to enforce compliance and to complete investigations in a timely manner. This problem is currently being alleviated by the hiring of additional regional enforcement staff.

At the heart of the issue, some respondents believed, is a need for commitment at the national level to civil rights in general and school desegregation in particular. What OCR needs, one respondent maintained, is a massive and systematic public relations campaign, complete with media spots, booklets, and so on. But, this person observed, "many people are still interested in keeping civil rights out of the picture; there just is not much leadership."

VII POLICY RECOMMENDATIONS

Since the case study site visits took place, amended regulations have been issued for Title IV (July, 1978), and legislative amendments to ESAA have been enacted (October, 1978). Some of the changes included in the Title IV regulations and ESAA amendments coincide with recommendations we have derived from our case study experiences.

With regard to Title IV, our findings strongly support the decision to provide two years of continuation grants to General Assistance Centers (now called Desegregation Assistance Centers). We agree that this provision will help DACs establish credibility and develop stable relationships with the districts they serve. We believe that it will also make the DACs more cost-efficient and will enable them to provide higher quality services than were possible with single-year funding.

With regard to ESAA, our findings strongly support the decision of Congress to permit multiyear funding for ESAA programs, thus enabling districts to make longer-range plans. The change also eliminates the costly late hiring and start-up and the constriction of options that occurred annually with single-year grants. It reduces costly annual proposal preparation and review. Multiyear funding thus is likely to result in savings, not only to districts, but also to OE program monitors.

Our findings also support the legislative shift of ESAA monies from compensatory education to activities more directly related to the desegregation process, such as the provision of human relations activities (e.g., community involvement, counseling, training in multi-cultural awareness). From our examination of five districts, it appears that such activities contribute to peaceful desegregation and are more appropriately funded under ESAA than is compensatory education, which receives extensive funding under Title I of the Elementary and Secondary Education Act. Moreover, compensatory education programs are generally undertaken by districts with or without ESAA, but it appears that unless human relations activities are given a high federal priority, such activities will continue to receive less attention than they deserve.

A third area of legislative amendments to ESAA that we support is the earlier grant award dates now provided for. The previous schedule of funding awards (July 1) delayed hiring for ESAA programs until virtually all other district hiring had been completed, with consequent loss of staff members and replacement by less experienced staff. The July notification date also often delayed program starts, since preparations scheduled for late spring or early summer had to be crowded into the first part of the fall.

Finally, we are in complete accord with HEW's administrative decision to permit school districts to spend ESAA funds for court-ordered desegregation activities, as long as the activities are among those authorized by ESAA (Federal Register, July 25, 1978). This issue arose in Dayton, where the court ordered the district to provide human relations training as part of its desegregation plan. ESAA was scheduled to provide this training but was forced to cancel it following the court order mandating such activities. The district ultimately claimed it could not afford the training, so the training was never provided. This example indicates that the ESAA exclusion on court-ordered activities can be counterproductive, and that the change in policy can have distinctly positive results.

Other recommendations are outlined below, presented separately for each of the three programs studied.

Emergency School Aid Act

ESAA Advisory Committee

The composition and role of the local ESAA advisory committees should receive USOE's thoughtful reconsideration. The current statute and regulations set stiff requirements regarding the composition of the advisory committee, in terms of racial and ethnic make-up, representation of various civic organizations, and representation of teachers, parents and students. These requirements, which often demand some considerable effort to fulfill, are intended to provide input to the local ESAA program from a broadly representative group of individuals. Yet, once so carefully formed, the committee is rarely given any training regarding either ESAA or desegregation,

nor do members have significant involvement in developing proposals. Thus, they usually are unable to provide meaningful input to proposal content or program operation decisions.

The committee's influence over the program derives from the requirements that they be provided an opportunity to comment, in writing, on the proposal and program amendments, and that a majority of them may request an informal hearing with the Assistant Secretary of Education. Many respondents felt that these requirements in effect provide for little significant influence. In total, the situation often seems to create frustration on all sides.

We suggest that USOE follow one of three general alternatives:

(1) Increase the committee's potential influence through such measures as:

- Providing compensation to committee members for participating in intensive training and proposal review sessions.
- Requiring that committee members actively participate in the development of proposal components and program policy.
- Providing the committee with veto power over major program activities and proposal contents.

OR

(2) Reduce the complexity of the requirements for the committee's composition, and, if other similar (but possibly not identical) advisory groups are in existence, allow that group to serve as ESAA's advisory committee.

OR

(3) Replace the requirement for an advisory committee with strengthened requirements for well-publicized periodic public hearings on the proposal and on program activities.

A "Layman's Version" of ESAA Regulations

Although this recommendation may appear trivial, we believe that a widely distributed layman's version of the purpose of ESAA, its allowable and nonallowable activities and other pertinent regulations would help

alleviate the confusion that seemed to exist in some of the sites. This booklet should have a required distribution that includes advisory committee members, district administrators, principals, ESAA staff, and interested parents and community members.

Civil Rights Act, Title IV

Two-Year Continuation Awards for Training Institutes

Two-year continuation awards should be made available to Training Institutes on the same basis as they are now available to General (Desegregation) Assistance Centers. The revised Title IV regulations (Federal Register, July 26, 1978) provide for one-year grants to DACs, with continuation awards available at OE's discretion for up to two additional years. The purpose of this provision, as explained in the Federal Register, is "to permit the recipient of a DAC award to establish its credibility and develop stable relationships with the school districts in its service area" (p. 32, 377). Our experience suggests that TIs have the same kinds of difficulties establishing credibility as were experienced by DACs. Single-year funding also defeats long-range planning attempts, and the necessity of writing a complex proposal annually disrupts regular activities. As in other programs, the uncertainty inherent in single-year funding increases the difficulty of retaining qualified staff. Discretionary continuation awards seem likely to significantly increase the cost effectiveness and the quality of services provided by TIs.

Encouragement of Coordinated and Continuous Assistance Projects

TIs and GACs (DACs) should be strongly encouraged to conduct cohesive, on-going assistance projects for districts. There was a consensus among respondents that single ("one-shot") workshops, evidently quite common among TIs and GACs, generally have little impact on participants. Many respondents, Title IV and district staff alike, felt systematic, continuous training projects would have a greater chance of changing attitudes and behaviors. Since GAC and TI applications are judged partly on the extent to which the approach shows "promise of success," OE could encourage cohesive, on-going assistance projects by making it known that approaches incorporating them would tend to receive high scores on the promise-of-success criterion.

Dissemination of Information

Consideration should be given to the establishment of national or regional networks for the dissemination of information regarding effective desegregation plans, training approaches, materials, and so on. A large number of American communities are currently involved with school desegregation issues. Collectively, there is extensive experience and knowledge of these issues, but there seems to be no effective way of sharing it, either among school districts or among TIs and GACs. A number of respondents, from all the study sites, expressed a desire to learn how people in other communities were dealing with certain problems or issues. National or regional networks, with the GACs serving as the change agents or facilitators, could help to link up districts with similar concerns and could provide a forum for the exchange of ideas and experiences. The two current national networks for the dissemination of innovations in education--one sponsored by OE and the other by NIE--might serve as models for development of the desegregation network.

Office for Civil Rights

OCR's 101/102 Survey Forms

In spite of past efforts to clarify and reduce the length of OCR's 101/102 survey forms, the fact that districts continue to have considerable difficulty completing them suggests that further clarification and reduction would be desirable. In their current state, the 101/102 survey forms have created frustration and resentment among the districts and school staffs we interviewed, and local officials allege that, in so doing, the survey may have done almost as much to hurt its purpose as it does to aid it. Furthermore, while it is recognized that the forms must gather data on a variety of complex issues, it is of dubious value to ask for information that cannot or will not be supplied accurately or consistently. To the extent that this occurs, further efforts should be made to clarify and simplify data requests, even though this may mean not asking for information considered necessary.

Whether or not the forms undergo further revision, workshops explaining them to districts should be continued and expanded, and a compendium of

definitions, detailed instructions, and answers to frequently asked questions should be published.

Information Packet on Enforcement Procedures and Rights of OCR and School Districts

Since local representatives said they were not fully aware of the steps to be taken in an OCR review under Title VI or ESAA, and that they felt that they were not assured due process, OCR should publish a layman's guide that outlines the enforcement procedures used by OCR and the rights of school districts and of OCR during a Title VI or ESAA compliance review or during the investigation of a complaint. This guide should also detail the legal requirements to which districts must adhere with regard to Title VI and ESAA.